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PATENT

ATTORNEY DOCKET NO.: 041465-5114-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Atsushi YAMAGUCHI, et al.) Confirmation No.: 5132
Application No.: 10/730,981) Group Art Unit: 2653
Filed: December 10, 2003) Examiner: T. Tran
For: OPTICAL RECORDING MEDIUM,)
OPTICAL RECORDING MEDIUM)
PRODUCING APPARATUS AND)
OPTICAL RECORDING MEDIUM)
PRODUCING METHOD)
Mail Stop Amendment

Commissioner for Patents
U.S. Patent and Trademark Office
Mail Stop Amendment
Alexandria, VA 22314

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment responding to the Office Action dated November 16, 2004.
2. Additional papers enclosed:

Drawings: Formal Informal (Correction)
 Information Disclosure Statement
 Form PTO-1449, _____ references included
 Citations
 Declaration of Biological Deposit
 Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

Total Months Requested	Fee for Extension	[Fee for Small Entity]
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$ 225.00
<input checked="" type="checkbox"/> three months	\$ 1,020.00	\$ 510.00
<input type="checkbox"/> four months	\$ 1,590.00	\$ 795.00

Extension of time fee due with this request: **\$1,020.00**.

If an additional extension of time is required, please consider this a Petition therefor.

An extension for ____ months has already been secured and the fee paid therefor of \$____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	27	minus	24	3	x \$50 each=	+ \$150.00
Independent Claims (37 C.F.R. §1.16(b))	4	minus	4	0	x \$200 each=	+ \$
[] First presentation of Multiple dependent claim(s)					\$360.00	+ \$
SUB-TOTAL =						\$
Reduction by ½ for filing by a small entity						- \$
TOTAL FEE =						\$150.00

6. Fee Payment

No fee is to be paid at this time.

The Commissioner is hereby authorized to charge \$1,170.00 (\$1,020.00 for the three-month extension of time fee and \$150.00 for the additional claims fee) due to Deposit Account No. 50-0310.

The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By:


Robert J. Goodell
Reg. No. 41,040

Dated: May 16, 2005

CUSTOMER NO. 09629

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The Commissioner for Patents
U.S. Patent and Trademark Office
Mail Stop Amendment
Alexandria, VA 22314

Sir:

AMENDMENT AND REQUEST FOR RECONSIDERATION
UNDER 37 C.F.R. § 1.111

In response to the Non-Final Office Action dated November 16, 2004, the period for reply to which has been extended to May 16, 2005, by a petition for a three-month extension of time filed concurrently herewith, please amend the above-identified application as follows:

05/18/2005 HAL111 00000063 500310 10/730981

01 FC:1253 1020.00 DA
02 FC:1202 150.00 DA